Comment on GN 25-133

RE: Removal of administrative burdens for equipment manufacturers.

Within the FCC's rules there are several required regulatory statements applicable to various pieces of equipment. For example: 47 CFR 15.19.a.1, 47 CFR 15.19.a.2, 47 CFR 15.19.a.3, 47 CFR 15.21, 47 CFR 15.105.a, 47 CFR 15.105.b, or 18.213.d. Some rules apply to devices which are no longer considered state of the art (e.g. Video Cassette Recorders or cable input selector switches). With modern digital technology, there are increasingly integrated circuits which no longer cleanly separable such that separate statements for different equipment are becoming increasingly difficult.

In our role as a Telecommunications Certification Body, we receive numerous questions from manufacturers on the applicability of various users manual or label statements. It is clear from the continued volume of questions that there exists a burden on manufacturers when it comes to deciphering the complicated and often unnecessary regulatory statements applied. I strongly urge the FCC to review and reconsider the necessity, cost to manufacturers and changes in the technological landscape of the various regulatory statements currently imposed on manufacturers and create a clear, simplified and consistent application of relevant regulatory notices.

I propose to abolish 15.19.a.2 on the grounds that stand-alone cable input selector switches are a very narrow, niche market and inclusion of a separate statement is unnecessary within the FCC's rules.

I propose to abolish both statements within 15.105. While the text within these statements could be relevant from a risk management viewpoint, the statements do nothing to protect the user from harm and furthermore add little specific value to actual troubleshooting when an interference issue occurs. The reference to 'experienced radio/TV technician' is to vague such that finding such an person will prove too difficult. While some policy interpretations imply the statements contained in 15.19 and 15.105 could be applied in lieu of one another, the current text of the FCC rules remains unclear on this point. Therefore, it is common that these statements are applied in duplicate to avoid risk of noncompliance to the administrative requirements. The issue is that the statements are indeed duplicative which is by definition unnecessary. By adopting a more concise statement, such as 15.19.a.3, the statement can still convey the necessary meaning.

I propose that the general regulatory statements not be required to be placed on the product. While there are specific examples where product labelling is required (e.g. Part 20.21 boosters), the vast majority of products otherwise subject to 15.19.a.3 are currently required to place the statement on the product. When this rule was written, most products were not the size of modern consumer electronics. With a reduction is physical size of products, and continued forecast reduction is size over time, placing of a general statement on the exterior of the product is becoming less effective as a regulatory rule. Since the rules already allow placement of the 15.19 statements either on the product, or within the users manual, the general public does not see the statement in a consistent location. In general by requiring the statement to be on the product, all other safety and additional relevant information (such as instructions for use, or setup) are contained in separate documentation. It would be more concise and effective to include all relevant safety notices and information in one location rather than splitting the information between the product's label and the users manual. I therefore urge the FCC to consider consolidation of all regulatory statements to the users manual, rather than requiring them to be on the product.

The statement required by 15.21 is often a question to TCBs. Because the form of the statement is not explicit, the meaning of the statement can often hidden in unrelated text.

For example, many manufacturer include this statement within the “Warranty” section of the manual instead of the “regulatory” section. I propose the FCC consider the purpose and necessity of this statement and if it remains appropriate, create explicit text for manufacturers to apply. Furthermore, because of advancements in technology and the ubiquitous combinations of licensed and unlicensed devices, I propose that this statement apply to all devices. The function of the statement, after all, is that any modification of the product may invalidate the products authority to operate (2.805). I propose to consolidate the requirements for brevity and clarity such that the text of the requirement is clearly conveyed to both the manufacturer and the user. I propose that the text be amended to simply state “*Unauthorized changes or modifications could void the user's authority to operate the equipment.*” And that the text be consolidated with other general requirements.

I propose to retain the regulatory statement in 15.19.a.3 for all unlicensed products as a single concise statement which conveys sufficient information regarding the product’s ability to operate and it’s inability to claim protection from outside interference. I also urge the FCC to apply this statement more broadly to all unlicensed services including (for example) those in Part 95. Application of a single statement can benefit the manufacturing community by removing unnecessary barriers and providing clarity on required statements.

I furthermore propose to repurpose the statement under 15.19.a.1 to become applicable to all licensed devices. Currently the FCC has no required statement for licensed transmitters such as 15.19.a.3, however I believe this is an oversight. In the modern era, rarely is a licensed device not accompanied by digital circuitry which, subject to SDoC, would require the statement in 15.19.a.3. Manufacturers are often confused because both 15.19.a.1 and 15.19.a.3 apply simultaneously, to different aspects of the product. Because the statement in 15.19.a.3 applies to the digital portion of the product under SDoC, it creates confusion by users on the devices ability to be protected from outside interference, especially considering licensing requirements commonly allow licensees redress to such interference. Creation of a statement applicable to all licensed devices is relevant because of advancements in technology; rarely is a licensed transmitter or receiver constructed without associated digital circuitry. To avoid confusion on applicability of various aspects of the product, I propose removal of the second portion on the grounds that this text is construed to apply primarily to the transmitter or receiver portion of the product. Due to the common combinations of digital devices, unlicensed transmitters and licensed transmitters, I propose rephrasing the required statement to accommodate all licensed operations (transmitters and receivers), including digital portions of the product and any combination of Licensed / Unlicensed devices and consolidating 15.21 within the same text:

In summary, I propose all users manual statements previously contained under part 15 and 18 be consolidated under Part 2 Subpart J for clarity and general applicability. This proposal creates two general regulatory statements, only one of which would be required to be placed in the users manual of the product depending on simple determination of product type, as follows:

For products containing a licensed transmitter:

> “*This device complies with FCC Rules. Operation is subject to the condition that this device does not cause harmful interference.*
> *Unauthorized changes or modifications could void the user's authority to operate the equipment.”*

For all other products:

> “*This device complies with FCC Rules. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device*

*must accept any interference received, including interference that may cause undesired operation.*
*Unauthorized changes or modifications could void the user's authority to operate the equipment."*

This proposal does not modify current labelling requirements for specific devices such as boosters.

Respectfully submitted,
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